

NOV. 2. 2006 3:13PM

FOLEY 8587926773

RECEIVED  
CENTRAL FAX CENTER

NO. 6164 P. 1/19

**FOLEY**

FOLEY &amp; LARDNER LLP

NOV 02 2006

## ATTORNEYS AT LAW

11250 EL CAMINO REAL, SUITE 200  
SAN DIEGO, CA 92130  
P.O. BOX 80278  
SAN DIEGO, CA 92138-0278  
TELEPHONE: 858.847.6700  
FACSIMILE: 858.792.6773  
WWW.FOLEY.COM

## FACSIMILE TRANSMISSION

Total # of Pages 19 (including this page)

TO:	PHONE #:	FAX #:
Examiner Nashaat T. Nashed Group Art Unit: 1656 Commissioner for Patents	(571) 272-0934	(571) 273-0934 and (571) 273-8300

From :	Stephen E. Reiter	SR
Email Address :	sreiter@foley.com	
Sender's Direct Dial :	858.847.6711	
Date :	November 2, 2006	
Client/Matter No :	SALK2370-2 (088802-5455)	
User ID No :	1877	

## MESSAGE:

Re: United States Patent Application No. 10/031,918

Following are:

1. Communication (2 pgs.)
2. Copy of previously submitted Amendment Transmittal w/ Petition for Extension of Time (3 pgs.)
3. Copy of previously submitted Amendment and Reply Under 37 CFR 1.111 (8 pgs.)
4. Copy of previously submitted Declaration Under 37 CFR § 1.132 (3 pgs.)
5. Copy of previously submitted Credit Card Payment Form in the amount of \$60.00 (1 pg.)
6. Copy of the facsimile confirmation sheet confirming successful transmission of the Response dated September 29, 2006 (1 pg.)

If there are any problems with this transmission or if you have not received all of the pages, please call 858.847.6700.

Operator:	Time Sent:	Return Original To: Mercedes F. "Ched" Dipasupil
-----------	------------	---

CONFIDENTIALITY NOTICE: THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENTS NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION, AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR ANY AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR, AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

Cover Page 1 of 1

DLMR\_282989.1

NOV 02 2006

Atty. Dckt. No. SALK2370-2  
(088802-5455)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Noel et al.

Title: METHODS AND  
COMPOSITIONS FOR  
DETERMINING ENZYMATIC  
ACTIVITY

Appl. No.: 10/031,918

International  
Filing Date: 7/27/2000


371(c) Date: 09/24/2002

Examiner: Nashed, Nashaat T.

Art Unit: 1656

Conf. No. 1639

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, Virginia 22313-1450

<b>CERTIFICATE OF FACSIMILE TRANSMISSION</b> I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below.
<i>Stephen E. Reiter</i> (Printed Name)
 <i>E. Reiter</i> (Signature)
<i>November 2, 2006</i> (Date of Deposit)

**COMMUNICATION**

Sir:

Pursuant to a telephonic status check of this case with the Examiner on November 2, 2006, submitted herewith are true copies of the following items previously submitted via facsimile on September 29, 2006:

- 1) Amendment Transmittal with Petition for Extension of Time. (3 pgs.).
- 2) Amendment and Reply Under 37 CFR 1.111 (8 pgs.).
- 3) Declaration Under 37 CFR § 1.132 (3 pgs.).
- 4) Credit Card Payment Form in the amount of \$60.00.
- 5) Facsimile confirmation sheet.

In re application of  
Noel *et al.*  
Application No.: 10/031,918  
Page 2 of 2

Atty. Dckt. No. SALK2370-2  
(088802-5455)

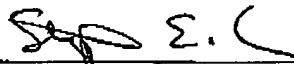
The above-referenced items are being resubmitted per request of the Examiner on November 2, 2006, after a telephonic status check of this case.

In the event any matters remain to be resolved in view of this communication, the Examiner is encouraged to call the undersigned so that a prompt disposition of this application can be achieved.

No fee is deemed necessary in connection with this paper since a petition fee for a one (1) extension of time was timely paid along with the amendment submitted on September 29, 2006. However, if any fee is required, the Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Respectfully submitted,

Date: November 2, 2006

  
\_\_\_\_\_  
Stephen E. Reiter  
Attorney for Applicant  
Registration No. 31,192  
Telephone: (858) 847-6711  
Facsimile: (858) 792-6773

FOLEY & LARDNER  
Customer Number: 30542  
P.O. Box 80278  
San Diego, CA 92138-0278

NOV. 2. 2006 3:13PM

FOLEY 8587926773

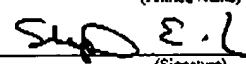
NO. 6164 P. 4/19

RECEIVED:  
CENTRAL FAX CENTER

NOV 02 2006 Atty. Dkt. No. SALK2370-2  
(088802-5455)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Noel et al.  
Title: METHODS AND  
COMPOSITIONS FOR  
DETERMINING ENZYMATIC  
ACTIVITY  
Appl. No.: 10/031,918  
International Filing Date: 7/27/2000  
371(c) Date: 09/24/02  
Examiner: Nashed, Nashaat T.  
Art Unit: 1656  
Confirmation Number: 1639

<b>CERTIFICATE OF FACSIMILE TRANSMISSION</b> I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below.  Stephen E. Reiter (Printed Name)   (Signature)  September 29, 2006 (Date of Deposit)
--

**AMENDMENT TRANSMITTAL**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

[ X ] Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous  
assertion of Small Entity status.

[ X ] Declaration Under 37 CFR §1.132 is enclosed.

DLMR\_289046.1

**RECEIVED  
CENTRAL FAX CENTER**

Atty. Dkt. No. SALK2370-2  
(088802-5455)

**NOV 02 2006**

In re application of  
Noel *et al.*  
Application No.: 10/031,918  
Page 2 of 3

☒ The fee required for additional claims is calculated below:

	Claims As Amended		Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee
Total Claims:	20	-	39	=	0	x	\$50.00	=	\$0.00
Independent Claims:	2	-	3	=	0	x	\$200.00	=	\$0.00
First presentation of any Multiple Dependent Claims:		+					\$360.00	=	\$0.00
CLAIMS FEE TOTAL									\$0.00

☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input checked="" type="checkbox"/> Extension for response filed within the first month:	\$120.00	\$120.00
<input type="checkbox"/> Extension for response filed within the second month:	\$450.00	\$0.00
<input type="checkbox"/> Extension for response filed within the third month:	\$1,020.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fourth month:	\$1,590.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fifth month:	\$2,160.00	\$0.00
EXTENSION FEE TOTAL:		\$120.00
<input type="checkbox"/> Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$130.00	\$0.00
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		\$120.00
<input checked="" type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):		\$60.00
Extension Fees Previously Paid:		\$0.00
TOTAL FEE:		\$60.00

A credit card payment form in the amount of \$60.00 is enclosed.

In re application of  
Noel *et al.*  
Application No.: 10/031,918  
Page 3 of 3

Atty. Dkt. No. SALK2370-2  
(088802-5455)

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 9/29/06

By Stephen E. Reiter

FOLEY & LARDNER LLP  
Customer Number: 30542  
Telephone: (858) 847-6711  
Facsimile: (858) 792-6773

Stephen E. Reiter  
Attorney for Applicant  
Registration No. 31,192

DLMR\_289046.1

NOV. 2. 2006 3:17PM

FOLEY 8587926773

NO. 6164 P. 19/19

P. 1

\* \* \* COMMUNICATION RESULT REPORT ( SEP. 29. 2006 1:38PM ) \* \* \*

FAX HEADER 1: FOLEY 8587926773  
FAX HEADER 2: FOLEY 8587926773TRANSMITTED/STORED : SEP. 29. 2006 1:33PM  
FILE MODE OPTION

ADDRESS	RESULT	PAGE
5870 MEMORY TX	G3~2 : USPTO OK	16/16

REASON FOR ERROR  
E-1) HANG UP OR LINE FAIL  
E-3) NO ANSWERE-2) BUSY  
E-4) NO FACSIMILE CONNECTION**FOLEY**  
FOLEY & LARDNER LLPATTORNEYS AT LAW  
11250 EL CAMINO REAL, SUITE 200  
SAN DIEGO, CA 92130  
P.O. BOX 80278  
SAN DIEGO, CA 92138-0278  
TELEPHONE: 858.847.6700  
FACSIMILE: 858.792.6773  
WWW.FOLEY.COM

## FACSIMILE TRANSMISSION

Total # of Pages 16 (Including this page)

TO:	PHONE #:	FAX #:
Examiner Nashaat T. Nashed Group Art Unit: 1656 Commissioner for Patents	(571) 272-0934	(571) 273-0934

From : Stephen E. Reiter *SR*  
 Email Address : sreiter@foley.com  
 Sender's Direct Dial : 858.847.6711  
 Date : September 29, 2006  
 Client/Matter No : SALK2370-2 (088802-5455)  
 User ID No : 1877

## MESSAGE:

Re: United States Patent Application No. 10/031,918

Following are:

1. Amendment Transmittal w/ Petition for Extension of Time (3 pgs.)
2. Amendment and Reply Under 37 CFR 1.111 (8 pgs.)
3. Declaration Under 37 CFR § 1.132 (3 pgs.)
4. Credit Card Payment Form in the amount of \$60.00 (1 pg.)

If there are any problems with this transmission or if you have not received all of the pages, please call 858.847.6700.

Operator:	Time Sent:	Return Original To: Mercedes F. "Ched" Dlapasupll
-----------	------------	--

CONFIDENTIALITY NOTICE: THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENTS NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION, AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR ANY AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR, AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

DLMR\_282989.1

Cover Page 1 of 1

PAGE 19/19 \* RCVD AT 11/2/2006 6:18:24 PM [Eastern Standard Time] \* SVR:USPTO-EFXXF-6/36 \* DNIS:2738300 \* CSID: \* DURATION (mm-ss):05-06